

STAT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-4 BY SP-1WASHINGTON TIMES
17 September 1985

World Court told U.S. faked evidence on Contra arms

THE HAGUE, Netherlands (AP) — A former CIA analyst told the World Court yesterday the agency used faulty evidence of arms shipments to Salvadoran rebels in an attempt to get congressional approval for a plan approved by President Reagan to invade Nicaragua.

On his third day of testimony in the case brought by Nicaragua against the United States, David Macmichael said, "Part of the justification was to convince the [congressional] intelligence committees to authorize and approve the plan. It was felt that they would approve of it if the purpose was arms interdiction."

The United States is boycotting the proceedings that began on April 9, 1984, when Nicaragua filed a complaint saying the Reagan administration was trying to topple its

Sandinista government with military force.

The United States says the World Court has no jurisdiction in the dispute, that it should be settled diplomatically and not judicially.

Mr. Macmichael, an intelligence analyst and CIA contract employee from 1981 to 1983, said he had not seen any reliable evidence of arms shipments from Nicaragua's Marxist-led Sandinistas to the guerrillas fighting the U.S.-backed government in El Salvador.

He said the evidence of such arms traffic was "very scanty, much of it unreliable, some of it suspect, and presented in a deliberately misleading manner.

"I do not believe that such traffic goes on now, or has been going on for the past four years, and I believe that representations by the U.S. government to the contrary were designed to justify its actions against the Nicaraguan government."

Mr. Macmichael had testified Friday that a plan to send 1,500 armed troopers into Nicaragua had Pres-

ident Reagan's approval. He did not give the nationality of the troops who were to make up the force.

Yesterday, Abram Chayes, a Harvard law professor and attorney for Nicaragua, asked Mr. Macmichael if the plan was implemented and he replied, "Yes, it was." He did not say when it allegedly was carried out

and refused to discuss any CIA involvement in the implementation, saying, "I can't talk about operational details."

Numerous U.S. government sources have said Mr. Reagan approved the creation of an anti-Sandinista paramilitary force in the fall of 1981. They said the CIA spent an estimated \$80 million on the covert war until Congress refused to continue the funding in the spring of 1984 after it was disclosed that the agency had mined Nicaragua's harbors.

Mr. Macmichael, 57, told the court the CIA never conducted a study into the purported flow of Sandinista arms to the Salvadoran rebels, but relied, instead, on press accounts.

He said U.S. intelligence capabilities in Central America are "of a very high order," and he believed no significant quantity of weapons

could have gone from Nicaragua to El Salvador without CIA detection.

But he said that in early 1981, while working as a private security consultant, he had seen "credible" evidence of weapons traffic to the Salvadoran guerrillas from Costa Rica and Panama.

That evidence stopped appearing in March 1981, he said, the month he went to work for the Analytical Group of the National Intelligence Council, an advisory body to the CIA.

Mr. Macmichael was followed on the witness stand by human rights activist Michael Glennon, a professor of law at the University of Cincinnati, who testified about a recent visit to Nicaragua.

"There was substantial and credible evidence that the Contras [Nicaraguan rebels] engaged in acts of terroristic violence against civilians, people who had no political, economic, or military significance," Mr. Glennon said.

He told the court he had interviewed 36 Nicaraguans along the border with Honduras. One of the main Nicaraguan rebel groups operates from bases in Honduras.

"The U.S. government is responsible for these acts," Mr. Glennon said of the alleged abuses of civilians by the rebels. "If they support the Contras, they are doing it knowing full well what's happening there."